

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Chatterjee, D.K.)	Group Art Unit: 1652
)	
Application No.: 09/558,421)	Examiner: Nashed, Nashaat
)	
Filing Date: April 26, 2000)	Confirmation No.: 9752
)	
Title: MUTANT DNA POLYMERASES AND)	
USES THEREOF)	
)	

**REQUEST FOR WITHDRAWAL OF HOLDING OF
ABANDONMENT - NO ABANDONMENT IN FACT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with M.P.E.P. § 711.03, withdrawal of the holding of abandonment in the above-captioned application is respectfully requested, there being no abandonment in fact.

Specifically, the Notice of Abandonment issued on February 26, 2008 states that the application is held abandoned in view of the decision rendered by the Board of Patent Appeals and Interferences on March 15, 2007 and because the period for seeking court review of the decision has expired. However, court review of the decision by the Board of Patent Appeals and Interferences was timely sought on May 15, 2007 by the commencement of civil actions pursuant to 35 U.S.C. § 146. Moreover, in accordance with the provisions of Bd. R. 8(b) and SO ¶ 8.3, proper notice of the commencement of such civil actions was timely provided to the Board of Patent Appeals and Interferences on May 24, 2007. A copy of that Notice of Judicial Review, date-stamped on May 30, 2007 by the Board of Patent Appeals and Interferences, is enclosed. This date-stamped copy of the Notice of Judicial Review is *prima facie* evidence of receipt in the Patent and Trademark Office of the Notice on at least the date stamped thereon.

In light of the above, withdrawal of the holding of abandonment is respectfully requested.

It is believed that no fee is required for consideration of this paper. Should the Office deem otherwise, the Director is hereby authorized to charge any appropriate fees under 37 C.F.R. § 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. **Deposit Account No. 50-3994**. This paper is submitted in duplicate.

Respectfully submitted,

Date: April 2, 2008

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